

Exhibit D

Declaration of S. Anderson

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
BISMARCK DIVISION

STATE OF IOWA, *et al.*,

Plaintiffs,

v.

COUNSEL ON ENVIRONMENTAL
QUALITY, and BRENDA MALLORY,
in her official capacity as Chair.

Defendant.

Case No.

DECLARATION OF STUART ANDERSON

I, Stuart Anderson, declare under penalty of perjury that the following is true and correct:

1. My name is Stuart Anderson. I am over 21 years of age and am fully competent and duly authorized to make this declaration. The facts contained in this declaration are based on my personal knowledge and are true and correct.

2. I am the Transportation Development Division Director of the Iowa Department of Transportation and have been in this position since March, 2021. As the Transportation Development Division Director, my responsibilities include leading a division of approximately 400 full-time employees to develop long-range transportation plans, develop construction programs, and develop projects for Iowa's multimodal transportation system.

3. Iowa State agencies, including the Iowa Department of Transportation, are involved in complying with federal NEPA laws and regulations to give proper consideration to the environment.

4. All projects that utilize federal funding are subject to federal NEPA laws and regulations. Examples of key upcoming projects in Iowa that may be directly affected by the Final Rule include, but are not limited to, replacement of the Iowa 12 Gordon Drive Viaduct in Sioux City, reconstruction of US 75 in the city of Hinton, and replacement of the US 67 Centennial Bridge over the Mississippi River in Davenport.

5. The US 67 Centennial Bridge over the Mississippi River is jointly owned by both the Iowa Department of Transportation and the Illinois Department of Transportation. The Illinois Department of Transportation is the designated lead state for project development on this bridge; therefore, they are responsible for complying with NEPA laws and regulations. However, development and project schedule delays would impact both Iowa and Illinois.

6. The Final rule will require additional evaluation beyond what is currently required for each of these projects.

7. These additional evaluations will cost the State of Iowa both money and time as they will require additional resources to implement.

A handwritten signature in black ink, appearing to read "Stuart Anderson", is written over a horizontal line.

Stuart Anderson